
North Coast Regional Water Quality Control Board

TO: Diana Henriouille

FROM: Kate Hawken

DATE: February 6, 2020

Inspection Report for September 18, 2019 Warrant Inspection Humboldt County Assessor's Parcel Number 220-301-006-000

File: Cannabis Program Inspections, Humboldt County, September 2019
HCSO/Green Wave Humboldt County Inspections, Vicky Dillon, CIWQS Place ID
863221

Property Information

County: Humboldt

Physical address: 3510 Elk Ridge Road, Redway

APN: 220-301-006-000

Owner: Vicky Dillon
P.O. Box 22
Redway, CA 95560

Transaction History (per LandVision): Last recorded sale July 31, 2007

Size: 45.19 acres

Watershed: Eel River Hydrologic Unit; South Fork Eel River Hydrologic Area; Benbow Hydrologic Subarea (HU/HA/HSA; Table 2-1, Water Quality Control Plan for the North Coast Region).

Aerial Review (Google Earth Pro): Access road and three small clearings visible in December 31, 2004 imagery. West clearing expanded and new clearing added in northwest quadrant by May 3, 2006. West and northwest clearings expanded by May 24, 2009. West clearing expanded by August 23, 2012. Evidence of cannabis cultivation starting in July 14, 2006 imagery

Regulatory status with the Regional Water Board

Site Development: No permit

Applicable programs: N/A

Onsite activities/operations: No permit

Applicable programs: Cannabis cultivation waste discharge regulatory program, State Water Board Order WQ 2019-0001-DWQ.

Inspection information:

Date/time: September 18, 2019

Type: Humboldt County Sheriff's Office (HCSO)/Green Wave Humboldt County Warrant Inspection

Attendance:

Kate Hawken and Brian Fuller, North Coast Regional Water Quality Control Board
Chris Van de Wyngard and Cann Doan, State Water Board Division of Water Rights
Kalyn Bocast, California Department of Fish and Wildlife
Multiple law enforcement officials (LEO)

Background/Objective:

North Coast Regional Water Quality Control Board (Regional Water Board) staff participated with staff of the State Water Board's Division of Water Rights (DIV), California Department of Fish and Wildlife (CDFW), and personnel from various law enforcement agencies in four days of inspections of multiple cannabis cultivation sites in Humboldt County, on September 17-19, 2019. Inspection objectives for Regional Water Board staff included observing site development and activities and identifying and assessing onsite features or conditions that are causing or may cause adverse impacts to the quality and beneficial uses of receiving waters, including surface and ground water.

Inspection Map

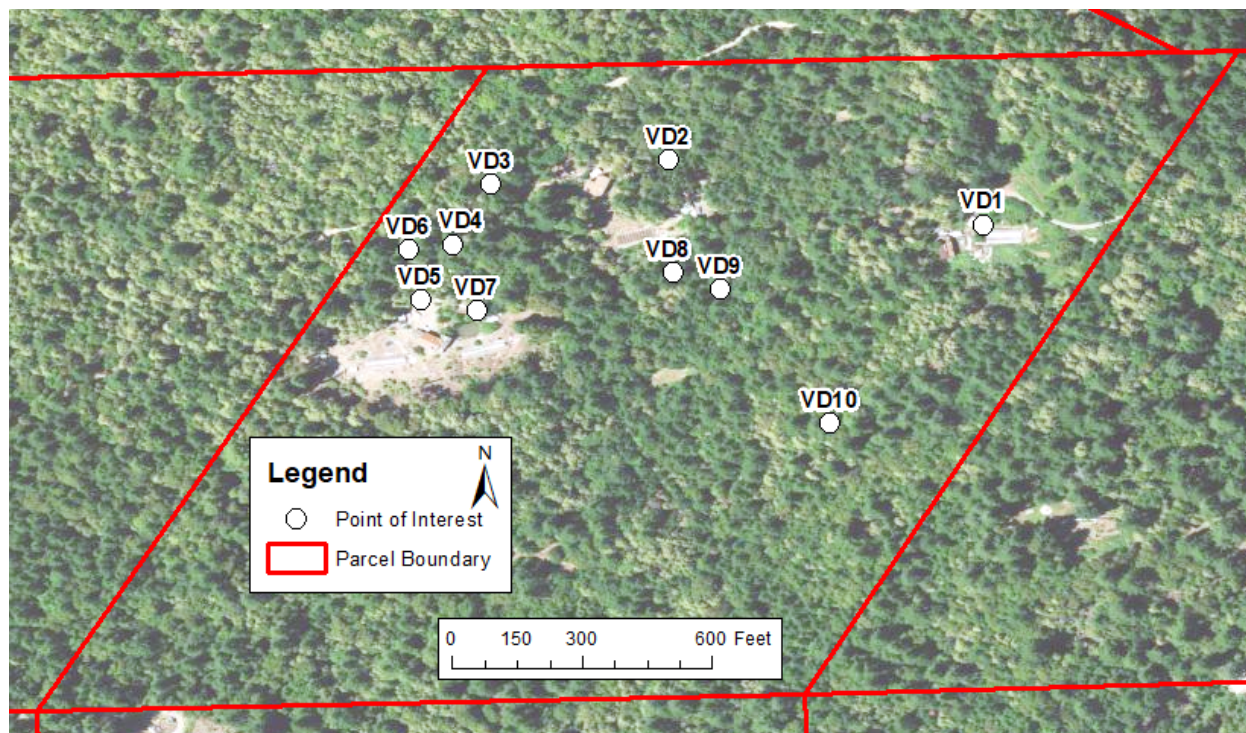


Figure 1: Map of Property with inspection points of interest

Inspection Observations

On September 18, 2019, I inspected the subject property. Figure 1 is a site map showing inspection points discussed in Table 1. I observed two areas containing outdoor cannabis cultivation. I observed an outhouse that discharges human waste to the ground. I observed three stream crossings that may be undersized for a 100-year flow event and associated debris. I observed two diversion points in a stream. I observed a watercourse diverted down a road, through a cross drain, and into a pond. I observed the pond had a small overflow culvert in the berm. I observed an overflowing water storage tank.

Table 1: Map points with descriptions and water quality concerns

<i>Map point</i>	<i>Feature</i>	<i>Brief Description</i>	<i>Water Quality Concern</i>	<i>Associated Photo(s)</i>
VD1	Cannabis Cultivation	Approximately 2000 square feet outdoor cannabis cultivation	Cannabis cultivation without regulatory coverage.	1
VD2	Outhouse	Outhouse with waste discharged onto the ground	Threatened discharge of waste to receiving waters.	2
VD3	Stream Crossing	Shallowly-placed 12-18" diameter plastic culvert stream crossing. Water storage tank on bank and misc. trash in stream	Discharges and threatened discharge of waste to surface waters.	3
VD4	Diversion Points	Minimum Class II watercourse with two intake pipes in 4' x 4' dug out areas	Dredge/fill in a watercourse.	4
VD5	Stream	Stream diverted down road ditch and routed through cross drain. Discharges in front of house	Dredge/fill in a watercourse.	5-6
VD6	Stream Crossing	12" diameter, perched, shot-gunned culvert with no clear channel downstream. Outlets to area with trash	Discharges and threatened discharges of waste to receiving waters.	7
VD7	Pond	Small pond in front of house with 8" diameter overflow culvert in berm. Inflow from VD5	Water diversion and storage without regulatory coverage. Threatened discharge of waste to receiving waters.	8

<i>Map point</i>	<i>Feature</i>	<i>Brief Description</i>	<i>Water Quality Concern</i>	<i>Associated Photo(s)</i>
VD8	Tank	Overflowing water storage tank	N/A	9
VD9	Stream Crossing	Humboldt crossing on Class III watercourse	Threatened discharge of waste to receiving waters.	10
VD10	Cannabis cultivation	Outdoor cannabis cultivation	Cannabis cultivation without regulatory coverage.	11

A comparison of conditions observed on the site with categories of activities typically associated with water quality concerns at cannabis cultivation sites:

1. Site maintenance, erosion control and drainage features: At VD5 I observed a watercourse diverted down a road and into a pond.
2. Stream crossing maintenance and improvement: I observed three stream crossings. VD3 was shallowly placed, with a perched outlet and potentially undersized diameter. VD6 has a buried inlet and a perched, shot-gunned outlet with no clear channel downstream. The input channel to VD6 may have been VD5 prior to diversion. I observed a Humboldt crossing at VD9 that may be contributing to streambank erosion.
3. Riparian and wetland protection and management: I observed a water storage tank in the setback to a Class III watercourse at VD3. I observed domestic waste at the outlet of culvert VD6, which may be the historic channel of watercourse VD5.
4. Spoils management: I did not observe water quality issues associated with spoils management.
5. Water storage and use: I observed an overflowing water storage tank at VD8. I observed two unpermitted diversion points in a stream at VD4. I observed a stream diverted down a road and into a pond at VD5.
6. Irrigation runoff: I did not observe water quality issues associated with irrigation

runoff.

7. Fertilizers and soil amendments: I did not observe water quality issues associated with storage or use of fertilizers or soil amendments.

8. Pesticides: I did not observe pesticides.

9. Petroleum products and other chemicals: I did not observe water quality issues associated with storage or use of petroleum products or other chemicals.

10. Cultivation-related wastes: I did not observe water quality issues associated with storage or disposal of cultivation-related wastes.

11. Refuse and human waste: I observed an outhouse discharging to the ground at VD2, and domestic refuse in stream channels at VD3 and VD6.

Recommendations

1. If the property owner and/or tenant(s) choose to continue to cultivate cannabis, enroll for coverage under and take steps to comply with the requirements of the CANGO (Order WQ 2019-0001-DWQ, General Waste Discharge Requirements and Waiver of Waste Discharge Requirements for Discharges of Waste Associated with Cannabis Cultivation Activities). Learn about the CANGO here:

www.waterboards.ca.gov/water_issues/programs/cannabis/cannabis_water_quality.html#general_order

2. Discontinue use of and dismantle any outhouse/pit toilet features and work with Humboldt County to ensure that all domestic and human wastes are collected and disposed of consistent with applicable County requirements.
3. Remove waste from watercourses. Collect and dispose of or contain all refuse in a location and manner so as to minimize potential for these wastes to enter or be transported into receiving waters.
4. Retain a licensed professional to inventory, assess, and develop a workplan and schedule to correct:
 - a. Culverts VD3, VD6, and VD9 to minimize streambank and road fill erosion and to allow passage of 100-year flood flow including debris and sediment loads
 - b. Diverted stream VD5 to return the stream to its historic channel
 - c. Pond VD7 for erosion and/or stability issues
5. Work with the California Department of Fish and Wildlife (CDFW) and the State Water Resources Control Board's Division of Water Rights (DIV) to determine and secure any applicable permits or licensing required for surface water diversion,

storage, and use on the site. If the existing surface water diversions do not meet applicable CDFW or DIV requirements, remove diversion infrastructure from surface waters and restore any instream or riparian disturbance associated with these features or removal thereof.

6. Prior to conducting any instream work associated with recommendations 4 and 5, above, submit to the Regional Water Board an application for Clean Water Act section 401 water quality certification, and secure approval from the Regional Water Board.

The 401 Application may be found at the following hyperlink:

https://www.waterboards.ca.gov/northcoast/water_issues/programs/cannabis/pdf/200204/RB1_Cannabis_WQC_401_App.pdf

7. Install a float valve or similar device to shut off flow to water storage tank when the tank is full. Regularly inspect water diversion and storage infrastructure for overflow, leaks, and damage.

Enforcement Discretion

The observations in this report will be assessed for violations of the California Water Code. The Regional Water Board and the State Water Board reserve the rights to take any enforcement action authorized by law.

PHOTO APPENDIX

	
Photo 1 – VD1; outdoor cannabis cultivation	Photo 2 – VD2; outhouse discharges to ground

	
<p>Photo 3 – VD3; culvert stream crossing with trash near outlet and water storage tank on stream bank</p>	<p>Photo 4 – VD4; two built out diversion points in stream covered by wood planks</p>
	
<p>Photo 5 – VD5; stream diverted onto road surface</p>	<p>Photo 6 – VD5; diverted stream routed through cross drain, discharges in front of house</p>



Photo 7 – VD6; perched, shot-gunned culvert outlet into area with miscellaneous domestic waste



Photo 8 – VD7; small pond in front of house



Photo 9 – VD8; overflowing water storage tank



Photo 10 – VD9; Humboldt crossing on Class III watercourse



Photo 11 – VD10; outdoor cannabis cultivation